In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R.No.1358 of 2007 (O&M)
Decided on March 13,2007.

Surinder Singh and others --- Petitioners

vs.

Kirpal Singh and others -- Respondents.

Present: Mr. V.K.Shukla, Advocate, for the petitioners

Pritam Pal,J: (Oral)

This Civil Revision by the petitioners/defendants, filed under Article 227 of the Constitution of India, is directed against order dated February 08,2007,passed by learned Civil Judge (Junior Division) , Moga, whereby after examining some witnesses, who were present in the Court, their evidence was closed by order of the Court.

The contention of learned counsel for the petitioners is that in fact, earlier the case was adjourned to October 25,2006 instead of October 24,2006, as observed by the learned trial Court in the aforesaid impugned order. It is further submitted that on October 25,2006, all the witnesses of the petitioner were present, however, on the adjourned date i.e. February 08,2007, except one witness, who was ill all other witnesses had been examined.

Taking an over all view of the facts and circumstances,

without issuing notice to the plaintiffs/respondents, this Civil Revision is disposed of with a direction that the learned trial Court shall give only one effective opportunity to the petitioners to conclude their evidence to be brought at their own responsibility, subject to costs of Rs. 2000/- payable to the opposite side.

March 13,2007 (Pritam Pal)
RR Judge